IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2715 OF 2004

AND

CRIMINAL WRIT PETITION NO.2716 OF 2004

Pragnesh Laxmichand Nagda ...Petitioner

Versus

The State of Maharashtra ...Respondent

.....

Mr.Anil Joshi with Mr.Girish Kulkarni i/b
Mrs.Supriya S.Khanzode for Petitioner.
Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent.

.....

CORAM: A.M.KHANWILKAR, J.

FEBRUARY 3, 2005.

P.C.

1. Heard Counsel for the parties.

2. I see no reason to interfere with the order as passed by the Court below, which is impugned in these Petitions. The said order was passed as back as in May 2003, whereas, the Petitions have been filed in December 2004. Besides, it is brought to my notice that the

Petitioner has already acted upon the order, which is impugned in these Petitions. The grievance of the Petitioner, however, seems to be that order as was passed in companion matters by this Court, ought to have been passed in the case of the Petitioner as well. Learned Counsel for the Petitioner submits that the impugned order needs to be modified on the same terms as in order dated November 24, 2004 in Criminal Writ Petition No.1530 of 2004. In other words, the Petitioner is willing to offer bond in the sum of Rs.2,00,000/- (Rupees Two Lakhs) and furnish undertaking that he will not create any third party right in respect of the vehicle and produce the same as and when required by the Trial Court.

3. If the Petitioner is interested in modification of the order passed by the Revisional Court, it will be open to the Petitioner to approach that Court, if so advised. That Application be considered on its own merits in accordance with law.

4. Petitions disposed of on the above terms.

A.M.KHANWILKAR, J.